

**ORDINANCE 96-04**

**TO AMEND THE PRELIMINARY PLAN**

**Re: 3111 W. Vernal Pk.  
(Cowden Development, Petitioner)**

WHEREAS, the Common Council adopted Ordinance 95-21 which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and repealed Title 21, entitled "Land Use and Development" on May 1, 1995; and

WHEREAS, the Plan Commission has considered this case, PUD-70-95, and recommended that the petitioners, Cowden Development, be granted an amendment to the preliminary plan and request that the Common Council consider their petition;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of IC 36-7-4 that a preliminary plan amendment be approved for the Planned Unit Development located at 3111 W. Vernal Pike, Bloomington, Indiana. That property is further described as follows:

Part of the North half of Section 31, Township 9, Range 1 West, Bloomington Township, Monroe County, Indiana, more particularly described as follows:

**COMMENCING** at a railroad spike in Vernal Pike at the Northwest corner of the Northwest quarter of said Section 31; thence North 90 degrees 00 minutes 00 seconds East along the North line of said Northwest quarter and along Vernal Pike 1085.00 feet; thence South 00 degrees 00 minutes 00 seconds East 241.96 feet to an iron pin and to the point of beginning; thence South 89 degrees 45 minutes 00 seconds East 125.00 feet to a rebar; thence North 00 degrees 24 minutes 35 seconds West 52.05 feet; thence North 88 degrees 55 minutes 10 seconds East 110.26 feet to an iron pipe; thence South 89 degrees 06 minutes 20 seconds East 298.89 feet to an iron pipe; thence North 00 degrees 08 minutes 15 seconds West 193.48 feet to the North line of said Northwest quarter, passing a rebar at 168.48 feet; thence North 90 degrees 00 minutes 00 seconds East along said North line and along Vernal Pike 554.23 feet to a nail found at the Northeast corner of said Northwest quarter; thence South 89 degrees 42 minutes 15 seconds East along the North line of the Northeast quarter of said Section 31 and along Vernal Pike 242.32 feet; thence South 05 degrees 00 minutes 50 seconds West along a fence line 182.37 feet to a rebar; thence South 86 degrees 21 minutes 55 seconds East along a fence line 379.45 feet to a rebar; thence South 00 degrees 58 minutes 00 seconds East 99.75 feet to the centerline of the abandoned Hunter Switch Railroad, passing a rebar at 51.95 feet; thence along the centerline of the abandoned Hunter Switch Railroad the following six courses:

1. South 33 degrees 20 minutes 30 seconds West 34.57 feet to the beginning of a curve to the right with a radius of 1433.00 feet, a central angle of 22 degrees 11 minutes 30 seconds and a chord bearing South 44 degrees 26 minutes 15 seconds West 551.53 feet;
2. Southwesterly along said curve 555.00 feet;
3. South 55 degrees 32 minutes 00 seconds West 583.24 feet to the beginning of a curve to the right with a radius of 717.00 feet, a central angle of 38 degrees 28 minutes 25 seconds, and a chord bearing South 74 degrees 46 minutes 10 seconds West 472.47 feet;
4. Southwesterly and Westerly along said curve 481.47 feet;
5. North 85 degrees 59 minutes 35 seconds West 299.03 feet to the beginning of a

curve to the left with a radius of 717.00 feet, a central angle of 4 degrees 20 minutes 10 seconds and a chord bearing North 88 degrees 09 minutes 40 seconds West 54.26 feet;

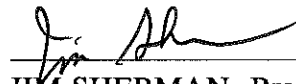
6. Westerly along said curve 54.27 feet;

thence leaving said railroad North 00 degrees 00 minutes 40 seconds East along a fence line 919.00 feet to the point of beginning, passing a rebar at 24.00 feet and containing 32.307 acres, more or less.

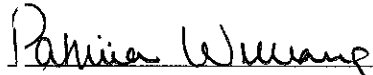
SECTION II. The Preliminary Plan Amendment, as recommended by the Plan Commission, shall be attached and made a part of this ordinance.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

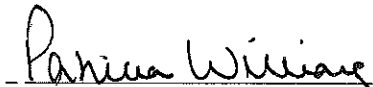
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 7<sup>th</sup> day of February, 1996.

  
JIM SHERMAN, President  
Bloomington Common Council

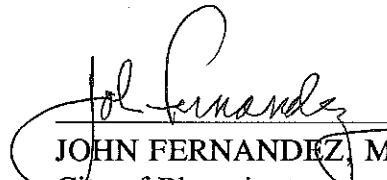
ATTEST:

  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 8<sup>th</sup> day of Feb, 1996.

  
PATRICIA WILLIAMS, Clerk  
City of Bloomington

SIGNED AND APPROVED by me upon this 9<sup>th</sup> day of February, 1996.

  
JOHN FERNANDEZ, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance amends the preliminary plan for this PUD by adding four uses. These uses include: religious institutions, offices, a shuttle service maintenance garage, and a moving company. The latter two uses have certain conditions, which are noted in the preliminary plan.

Signed copy:  
Planning  
Petitioner